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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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LAMONT WILLIAMS

BROOKLYN OFFICE

Plaintiff,

**MEMORANDUM AND ORDER**

-against-

10-CV-6071 (SLT) (RLM)

NEW YORK CITY DEPARTMENT OF  
CORRECTIONS, et. al.,

Defendants.

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**TOWNES, United States District Judge:**

Plaintiff filed this action on December 23, 2010, alleging verbal and sexual abuse by a New York City Correction Officer. Plaintiff, a former inmate, claims that on September 17, 2010, between the hours of 7pm and 9pm, he was yelled at by a Riker's Island corrections officer and had his genitals "grabbed and gripped" in "an aggressive manner," thereby causing him to suffer "scars and/or damage". Complaint at 9. Plaintiff seeks money damages of \$100,000,000. For the reasons set forth below, plaintiff's case is dismissed.

Defendants answered the complaint on April 8, 2011, however, plaintiff failed to appear for the initial conference scheduled for April 15, 2011, despite having actual notice. Docket No. 22. Thereafter, Magistrate Judge Roanne L. Mann ordered plaintiff to appear on June 2, 2011 to show cause why the case should not be dismissed for lack of prosecution.

On June 2, plaintiff again failed to appear. Judge Mann's law clerk called plaintiff's phone number to find out where he was, and plaintiff's fiancée answered and was overheard speaking in the background to a male, asking how to proceed. The phone was hung up on that end of the call, and further attempts by Judge Mann's law clerk to call proved unsuccessful. On June 2, 2011, Judge Mann issued a Report and Recommendation ("R&R"), recommending that the complaint be dismissed with prejudice for lack of prosecution and repeated and flagrant

violations of Court orders. Docket No. 23. As of the date of this Memorandum and Order, plaintiff has neither filed objections to the R&R nor requested an extension of time in which to do so.

A district court is not required to review the factual or legal conclusions of the magistrate judge as to those portions of a report and recommendation to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985). Even when no objections are filed, however, many courts seek to satisfy themselves “that there is no clear error on the face of the record.” Fed. R. Civ. P. 72(b) advisory committee note (1983 Addition); *see also Edwards v. Town of Huntington*, No. 05 Civ. 339 (NGG) (AKT), 2007 WL 2027913, at \*2 (E.D.N.Y. July 11, 2007).

This Court has reviewed the R&R for clear error on the face of the record. The Court finds no clear error, and therefore adopts the R&R in its entirety as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

### ***CONCLUSION***

For the reasons stated above, this Court adopts Magistrate Judge Mann’s Report and Recommendation dated June 2, 2011. The R&R recommends that plaintiff’s complaint be dismissed in its entirety with prejudice for lack of prosecution and repeated violations of Court orders. This Court dismisses the complaint and respectfully requests the Clerk of Court to close this case.

SO ORDERED.

Dated: August 17, 2011  
Brooklyn, New York

s/ SLT  
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SANDRA L. TOWNES  
United States District Judge